

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY J. STANCZAK III,

Defendant.

NO: 2:15-CR-0068-TOR-1

ORDER GRANTING UNITED
STATES' MOTION FOR
PROTECTIVE ORDER

BEFORE THE COURT are the United States' Motion for Protective Order (ECF No. 20) and Motion to Expedite (ECF No. 21). The matters were submitted for consideration without oral argument. The Court has reviewed the motions and the file therein and is fully informed. The United States seeks a protective order to govern the mandatory privacy protections in this case pursuant to 18 U.S.C. § 3509(d). For good cause shown, the motions are granted.

1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 1. The United States' Motion for Protective Order (ECF No. 20) and
3 Motion to Expedite (ECF No. 21) are **GRANTED**.

4 2. The privacy protection measures mandated by 18 U.S.C. § 3509(d), when
5 a case involves a person under the age of eighteen years who is alleged to be a
6 victim of a crime of sexual exploitation, or a witness to a crime committed against
7 another person, apply to this case.

8 3. All persons acting in this case in a capacity described in 18 U.S.C. §
9 3509(d)(1)(B), shall follow and abide by the privacy protections of 18 U.S.C. §
10 3509(d)(1) and (2) as follows:

11 (d) Privacy protection.--

12 (1) Confidentiality of information.—

13 (A) A person acting in a capacity described in
14 subparagraph (B) in connection with a criminal
 proceeding shall--

15 (i) keep all documents that disclose the
16 name or any other information
17 concerning a child in a secure place to
 which no person who does not have
 reason to know their contents has access;
18 and

19 (ii) disclose documents described in clause
20 (i) or the information in them that
 concerns a child only to persons who, by
 reason of their participation in the

proceeding, have reason to know such information.

(B) Subparagraph (A) applies to--

- (i) all employees of the Government connected with the case, including employees of the Department of Justice, any law enforcement agency involved in the case, and any person hired by the Government to provide assistance in the proceeding;
- (ii) employees of the court;
- (iii) the defendant and employees of the defendant, including the attorney for the defendant and persons hired by the defendant or the attorney for the defendant to provide assistance in the proceeding; and
- (iv) members of the jury.

(2) Filing under seal.--All papers to be filed in court that disclose the name of or any other information concerning a child shall be filed under seal without necessity of obtaining a court order. The person who makes the filing shall submit to the clerk of the court--

- (A) the complete paper to be kept under seal; and
- (B) the paper with the portions of it that disclose the name of or other information concerning a child redacted, to be placed in the public record.

1 4. Counsel shall remind all persons providing assistance on this case of
2 these obligations.

3 5. Any alleged minor victim will be referred to either by initials or a
4 pseudonym, whichever is agreed upon by counsel for the United States and the
5 Defendant. Counsel shall be consistent in their use of the identifier selected. The
6 parties shall prepare their witnesses and instruct them to refer to the alleged minor
7 victims only by using the agreed pseudonyms (e.g., "Jane Doe 1", "Jane Doe 2"
8 etc.), rather than their names, in opening statements and in closing arguments.

9 6. All personal information relating to any minor victim shall be precluded
10 from public disclosure.

11 7. None of the discovery provided to counsel under the parameters of this
12 agreement shall be copied, disseminated, or otherwise provided to any other person
13 other than investigators or retained proposed experts.

14 The District Court Executive is hereby directed to enter this Order and
15 provide copies to counsel.

16 **DATED** July 24, 2015.



Thomas O. Rice
THOMAS O. RICE
United States District Judge